

HELICOPTER ASSOCIATION OF CANADA MEMBERS AND INDUSTRY SUPPORTERS DISCIPLINE POLICY

1. INTRODUCTION

The Helicopter Association of Canada ("HAC") is committed to fostering public confidence in the safety of helicopter operations and the integrity of HAC Members and Industry Supporters, as well as protecting the reputation and good name of the helicopter industry. The purpose of this Policy is to provide the Board of Directors, Members and Industry Supporters of HAC with a framework to enforce the Code of Conduct for Members Industry Supporters of HAC ("the Code of Conduct") and provide for a fair and transparent disciplinary process in the event that a Member or Industry Supporter breaches the Code of Conduct. It is intended that this Policy will be compliant with and be in addition to the requirements of HAC's By-laws and and other governing documents, as well as the *Canada Not-for-Profit Corporations Act S.C. 2009, c.23* ("the Act") and its Regulations as amended from time to time. .

2. PRINCIPLES

Members and Industry Supporters are entitled to procedural fairness in any disciplinary action including:

- Notice of any allegation, investigation, suspension, and/or hearing;
- The grounds for which any remedial action will be taken;
- An opportunity to make representations at any hearing or during any investigation; and
- An unbiased decision maker.

3. INVESTIGATION

- a) If there is an allegation that a Member or Industry Supporter of HAC has breached the Code of Conduct, the Board of Directors may suspend the Member's or Industry Supporter's status as a member or Industry Supporter for a maximum of one-hundred and eighty (180) days pending an investigation of the breach if, in the Board's discretion, it is in the best interest of HAC to do so. The Member or Industry Supporter will receive written notice of his or her suspension which will outline the basis of the allegation.
- b) The Board of Directors will arrange for an investigation of every alleged violation of the Code of Conduct unless the allegation:
 - does not relate to the Code of Conduct;
 - is obviously trivial, frivolous, vexatious or made in bad faith;
 - does not identify the Member, Individual, or Associate in question; or
 - is anonymously submitted.
- c) The Board of Directors may appoint an HAC employee, Officer, Director or Committee to investigate the allegation or, in its discretion, the Board of Directors may choose to engage an independent third party to conduct the investigation. The Board of Directors will ensure that whoever is chosen to investigate the allegation will be a neutral party in

that he, she or they will have no personal or professional connection to the allegation.

- d) The investigator may conduct its interviews of the Member or the Industry Supporter and/or witnesses in person, by phone, in writing, or by any other technological means.
- e) To protect the interests of the Member, or Industry Supporter under investigation and HAC, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Only those with a need to know will be made aware that an investigation is ongoing.
- f) If the investigator gathers documentary or other evidence during the course of the investigation, the Member or Industry Supporter will be given copies of that evidence, if possible. If copies are not possible, the Member, or Industry Supporter will be given other means to view the evidence.
- g) When the investigation is complete, a Preliminary Investigation Report will be drafted by the investigator and given to the Member or Industry Supporter who will have a period of twenty (20) days to respond to it, in writing.
- h) After reviewing the Member's or Industry Supporter's response to the Preliminary Investigation Report, the investigator will draft a Final Report within thirty (30) days, with one of the following findings for each allegation:
 - The allegation is substantially true and constitutes a breach of the Code of Conduct;
 - The allegation is substantially true but does not constitute a breach of the Code of Conduct;
 - The allegation was made in good faith, but is not true;
 - The allegation was false and deliberately fabricated; or
 - The investigator is unable to come to a conclusion.
- i) The investigator will provide this Final Report to the Member or Industry Supporter and to the Board of Directors. The Final Report shall not include recommendations as to remedial actions to be taken.

4. HEARING

- a) Following the receipt of the Final Report, but prior to the Directors making their final decision with respect to remedial action (if any), the Board of Directors will invite the Member or Industry Supporter to attend a hearing in order for the Member or Industry Supporter to make representations to the Board about the allegations and findings in the Final Report.
- b) The hearing may be in person, at the Member's or Industry Supporter's own expense, or by means of telephone, electronic or other communication facilities as to permit all Directors and the Member or Industry Supporter participating in the hearing to communicate with each other simultaneously and instantaneously.
- c) Neither the Board of Directors nor the Member or the Industry Supporter will be

permitted to have legal counsel at the hearing.

- d) The Member or Industry Supporter has the right to decline to attend (or participate in) the hearing.
- e) A Director will recuse himself or herself from the hearing if, in the opinion of the other Directors, he or she has a personal or professional connection to the allegation, or if their participation would breach the Code of Conduct and Conflict of Interest Policy for Directors and Officers.

5. REMEDIAL ACTION

- a) After reviewing the Final Report and the hearing, if any, the Board of Directors may resolve to take one or more of the following remedial actions:
 - A written reprimand;
 - A written warning;
 - Putting the member on probation for a maximum of fifty-two (52) weeks;
 - A continuation of the suspension for a maximum of fifty-two (52) weeks or until the next Annual General Meeting whichever is sooner; or
 - A resolution to put forward a motion to the Members to cancel the Member's, or Individual's, or Associate's membership in accordance with the By-laws.
- b) The Member, or Industry Supporter will be advised of the decision of the Board of Directors within fourteen (14) days of the decision.

6. NO RIGHT OF APPEAL

Members and Industry Supporters do not have the right to appeal the remedial action taken by the Board of Directors under this Policy.